

## RESOLUTION NO. 2010-13

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A TENTATIVE SUBDIVISION MAP FOR THE SHELDON AND WATERMAN PROJECT EG-06-1146, ASSESSOR PARCEL NUMBER 127-0010-077**

**WHEREAS**, the Planning Division of the City of Elk Grove received an application on November 30, 2006 from Kimball Hill Homes and subsequently University Capital Management (hereinafter referred to as Applicant) requesting a rezone from AG-80 (General Agriculture) to AR-2 (Agricultural-Residential Zone 2 Acres Min.) and a tentative subdivision map to divide the existing single 118± acre parcel and create 26 new lots (ranging from 2-4 acres in size) and one remainder open space lot (approximately 50 acres in size); and

**WHEREAS**, the proposed project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as Assessor Parcel Number 127-0010-077; and

**WHEREAS**, the City determined that the Sheldon and Waterman Project was subject to the California Environmental Quality Act and prepared an Initial Study evaluating the potential environmental effects of the project; and

**WHEREAS**, a Mitigated Negative Declaration was prepared and circulated, and the Applicant has agreed to implement the proposed mitigation measures to reduce the potentially significant adverse effect(s) to less than significant levels; and

**WHEREAS**, a Mitigation Monitoring and Reporting Program has been prepared in accordance with City of Elk Grove regulations and is designed to ensure compliance during project implementation; and

**WHEREAS**, all required services and access to the proposed parcels in compliance with the City's standards are available; and

**WHEREAS**, a public workshop on the project was held on July 27, 2009 for members of the public to learn about the project and share their concerns; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on December 17, 2009 as required by law to consider all of the information presented by staff, information presented by the project proponent, and public testimony presented in writing and at the meeting; and

**WHEREAS**, the Planning Commission voted 4-0 to adopt Resolution 2009-31, recommending that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, adopt an Ordinance rezoning the property to AR-2, and approve the tentative subdivision map subject to the recommended conditions of approval; and

**WHEREAS**, on January 13, 2009, the City Council held a duly noticed public hearing as required by law to consider all of the information presented by staff, information presented by the project proponent, and public testimony presented in writing and at the meeting; and

**WHEREAS**, on January 13, 2009 the City Council adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and

**WHEREAS**, the City Council concurred with the Planning Commission's recommendation of approval.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council does hereby approve the project as illustrated in Exhibits A, B, and B.1, and based upon the following findings and conditions of approval listed in Exhibit C.

Tentative Subdivision Map

Finding: None of the findings (a) through (g) in Section 66474 of the California Subdivision Map Act that require a City to deny approval of a tentative map apply to this project.

Evidence: Findings (a) through (g) in Section 66474 of the Subdivision Map Act do not apply to the project.

- a. The proposed map is consistent with the Elk Grove General Plan and current and proposed zoning that identifies the site as appropriate for residential use.
- b. The design of the improvements of the proposed subdivision is consistent with the General Plan that designates the site for rural residential development.
- c. The site is physically suitable for residential development. The surrounding area is developed with and/or designated for residential uses. Access to the site will be provided or is available. Necessary services and facilities are available or can be provided.
- d. The site is appropriate for the proposed density of development, 1-unit per two acres. Services and facilities to serve the project will be provided or are available.
- e. The proposed Tentative Parcel Map will not cause substantial environmental damage. An Initial Study/Mitigated Negative Declaration was prepared for this project and all necessary mitigation measures have been incorporated into the final project to reduce the impacts to less than significant levels.
- f. The proposed Tentative Subdivision Map will not cause serious public health problems. The project has been reviewed by local agencies, including Fire, Public Works, Planning, Police, Parks, and Police, for conformance to applicable policies and regulations. Comments and requirements have been addressed or incorporated as conditions of approval and ensure protection of public health, welfare, and safety.
- g. No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 13<sup>th</sup> day of January 2010.

  
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SOPHIA SHERMAN, MAYOR of the  
CITY OF ELK GROVE

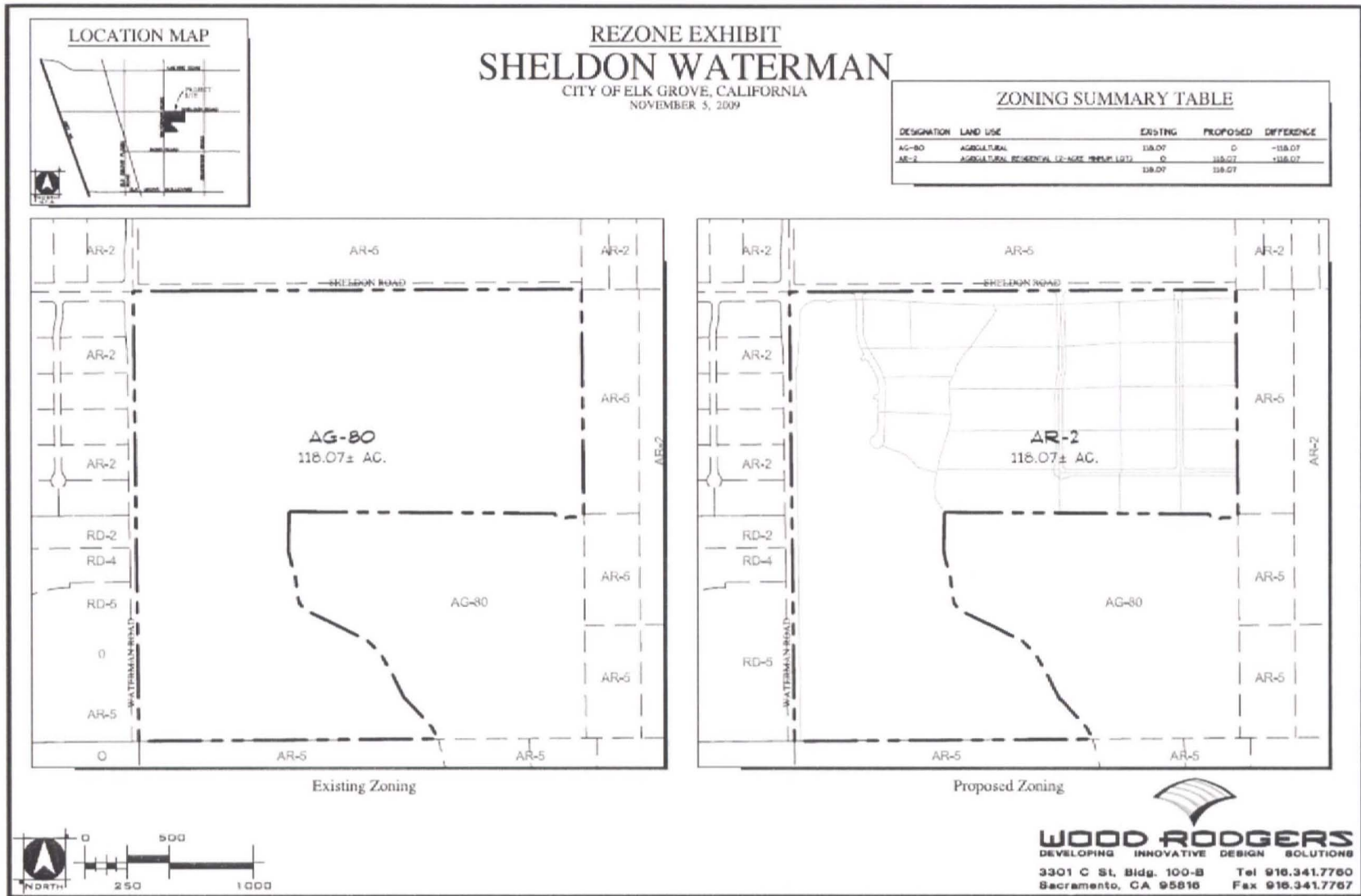
ATTEST:

  
\_\_\_\_\_  
SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
SUSAN COCHRAN, CITY ATTORNEY

Exhibit A – Rezone Map



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**Exhibit C – Conditions of Approval**

	<b>Conditions of Approval</b>	<b>Timing / Implementation</b>	<b>Enforcement / Monitoring</b>	<b>Verification (date and signature)</b>
<b>On-Going</b>				
1.	<p>The development approved by this action is for a Rezone and Tentative Subdivision Map to create 26 single family residential lots and one remainder lot, as illustrated in Exhibits A and B, dated December 1, 2009.</p> <p>Deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.</p>	On Going	Planning	
2.	<p>This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.</p>	On Going	Planning	
3.	<p>The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.</p>	On Going	Planning	
4.	<p>The Applicant shall design and construct all improvements in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein, and to the satisfaction of Public Works.</p>	On Going	Public Works	
5.	<p>All homes shall be provided with an approved address on the home and posted in accordance with the Cosumnes CSD Fire Department rural addressing standards as determined by the Fire Inspector.</p>	On Going	CSD Fire	
6.	<p>All homes not supplied by public water shall be provided with an approved automatic fire protection system. Homes supplied by public water shall have an approved automatic fire sprinkler system installed within all new R-3 occupancies when the total floor area (area under roof including garages and attached solid roof canopies) exceeds 5,999 square feet and/or the total livable area (area not including garages and attached</p>	On Going	CSD Fire	

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Verification (date and signature)
solid roof canopies) exceeds 4,999 square feet.			
7. All homes shall be required to submit plans to the Fire Department for review and approval.	On Going	CSD Fire	
8. All trees along fire access routes and trails shall be maintained to provide a minimum clearance of 13 feet 6 inches for fire apparatus access.	On Going	CSD Fire	
9. All trees, shrubs, and plants within the PG&E easement shall not exceed a height of 15 feet at maturity, and no trees shall be planted within said area within 15 feet of any tower structure or within 15 feet horizontal distance from the nearest conductor.	On Going	PG&E	
10. All vehicles parked within the PG&E easement shall be on wheels and capable of immediate movement and the Applicant shall agree to move all vehicles from said area upon receiving 24 hour notice from PG&E to do so. PG&E further reserves the right to move all vehicles from said area in the event of either non-removal pursuant to said notice or in an emergency.	On Going	PG&E	
11. Overhead lighting installed within the PG&E easement shall not exceed 15 feet in height and shall not be located directly underneath the conductors of PG&E's overhead electric transmission lines nor within 15 feet of any tower structure or within a 15 foot horizontal distance from the nearest conductor.	On Going	PG&E	
12. Non-combustible fencing is required along all wetland, creeks, open spaces, and the like. Property owners shall not modify fencing or erect combustible fencing adjacent to or along the non-combustible fencing.	On Going	CSD Fire	
13. All fencing along the boundaries of the residential lots shall be open view fencing that is consistent in design with the rural character of the area.	On Going	Planning	
<b>Prior to Final Map Approval</b>			
14a. The development approved by this action is subject to the Mitigation Monitoring and Reporting Program (MMRP) adopted as part of the project. A deposit of \$5,000 for monitoring mitigation measures applicable	Prior to issuance of any plans or permits associated with this project, the	Planning	



Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Verification (date <u>and</u> signature)
<p>to this development shall be paid to the City in order to assure MMRP compliance. If actual City monitoring costs exceed the initial estimate, a revised estimate and/or supplemental bill(s) will be submitted to the applicant. If actual City monitoring costs are less than the initial estimate, the difference will be promptly refunded to the applicant.</p>	<p>applicant shall submit the deposit to the City of Elk Grove.</p>		
<p>14. The Applicant shall dedicate a 12.5' public utility easement adjacent to the ultimate right-of-way boundary for Waterman Road and Sheldon Road and all internal streets for overhead and/or underground facilities and appurtenances to the satisfaction of Public Works.</p>	<p>Final Map</p>	<p>Public Works</p>	
<p>15. The Applicant shall identify on the Final Map the 100-year flood plain limit for all internal streets and provide a drainage easement for the flood plain limit to the satisfaction of Public Works. No building shall be allowed within the 100-year flood plain limit.</p>	<p>Final Map</p>	<p>Public Works</p>	
<p>16. The Applicant shall design and construct the 30 foot trail connection at the intersection of Sheldon Road and Waterman Road on the designated remainder lot as shown on the Tentative Map to the satisfaction of Public Works</p>	<p>Final Map</p>	<p>Public Works</p>	
<p>17. The Applicant shall dedicate the 30 foot trail easement in the remainder lot under the power line corridor to the Cosumnes CSD.</p>	<p>Final Map</p>	<p>CSD Parks</p>	
<p>18. The Applicant shall construct the trail within the power line corridor trail easement consistent with the Elk Grove Trails Master Plan and to the satisfaction of the Cosumnes CSD Parks Department and the CSD Fire Department within a minimum 10 feet of pavement and 3 feet of shoulder on each side. The trail shall be designed to be capable of supporting 35,000 gross vehicle weight for Fire Department purposes. The trail shall also include a 5 foot equestrian trail and additional buffers as described in the trail cross section on the Tentative Map.</p>	<p>Final Map</p>	<p>CSD Fire CSD Parks</p>	
<p>Bike trail entrances and exits shall be designed for fire apparatus turning radius of 35 feet inside and 45 feet outside diameters.</p>			

	<b>Conditions of Approval</b>	<b>Timing / Implementation</b>	<b>Enforcement / Monitoring</b>	<b>Verification (date <u>and</u> signature)</b>
19.	The Applicant shall dedicate the necessary area in the form of the easement to the CSD for trail crossings and/or crosswalks at Waterman Road. Further, the applicant will install the trail crossings/crosswalks or pay a proportionate share of the cost for this improvement.	Final Map	CSD Parks	
20.	When the improvements to the trail have received final acceptance by the CSD, CSD will accept the grant of a landscape maintenance easement from the Applicant and assume the future obligation for operation, maintenance, repair, and replacement. Applicant shall be responsible to fund the direct cost of performing this work until the District has incorporated these costs into the annual budget for the Landscape and Lighting Assessment District. If the inclusion of these costs results in an increase in the assessments requiring a ballot approval pursuant to the provisions of Proposition 218, the Applicant's funding obligation could continue until Prop 218 compliance is met.	Final Map	CSD Parks	
21.	The Applicant shall dedicate a 30 foot easement east of Laguna Creek across Lots 7 through 11 for a future trail to the Cosumnes CSD. This easement may overlap with the multipurpose drainage access road and shall extend from Sheldon Road to the southern edge of Lot 11.	Final Map	CSD Parks	
22.	The applicant shall design and construct the multi-purpose trail/drainage access road on the east side of the creek in accordance with the City of Elk Grove Improvement Standards and the requirements of the Cosumnes CSD Fire Department. The access road shall be a minimum of 16 feet wide (10 feet of pavement with 3 feet graded shoulder on each side). The minimum structural section shall be designed to support 35,000 gross vehicle weight. Access to Sheldon Road shall be to the satisfaction of Public Works.	Final Map	Public Works CSD Fire	
23.	Applicant shall construct open view fencing along the boundary of the giant garter snake habitat boundary, along the property boundaries with Sheldon Road, along any residential property boundary that abuts the remainder lot, and along the boundaries of the power line trail. The fencing shall be non-combustible and shall be designed consistent with the rural character of the area and to the satisfaction of the Planning	Final Map	Planning CSD Fire CSD Parks	

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Verification (date and signature)
Department, CSD Fire, and CSD Parks. (See Exhibit B.1)			
24. On the east side of Laguna Creek, the Applicant shall dedicate a drainage easement along Lots 7 through 11 from the recorded drainage easement (Book 20011002 Page 103) to the proposed fence line as shown on the Tentative Map to the satisfaction of Public Works.	Final Map	Public Works	
25. If established at the time of Building Permit application, the project area shall annex into Zone 2 of the Storm Water Drainage Utility Fee Area to fund the additional project related costs to maintain publicly-owned water drainage facilities, manage flood control, and execute the stormwater quality program; otherwise the project area shall remain in the Zone 1 Storm Water Drainage Utility Fee Area. This annexation process may take several weeks. The project Applicant shall pay their fair share of the costs to annex into Zone 2. For rate information on this District, see <a href="http://www.elkgrovecity.org/utilities/rate-info.htm">www.elkgrovecity.org/utilities/rate-info.htm</a> .	Final Map	Public Works	
26. The applicant shall dedicate, design, and improve all internal public streets. Improvements shall be in accordance with the City of Elk Grove's Rural Road Standards, Improvement Standards, and to the satisfaction of Public Works. A permanent barricade shall be placed 150' east of the southeasterly intersection between Lot 22 and 23 per Section 4-28 of the City of Elk Grove Improvement Standards.	Final Map	Public Works	
27. If the roadside drainage ditch is located outside of the right-of-way, the Applicant shall dedicate a public drainage easement to the satisfaction of Public Works. All roadside drainage ditches shall be privately owned and maintained by adjacent property owners.	Final Map	Public Works	
28. The Applicant shall provide an appropriate mechanism, such as private drainage easements, for all cross-lot drainage swales.	Final Map	Public Works	
29. Per Title 14 of the Municipal Code, rural activities shall be allowed to occur on all of the residential lots. Rural activities include the keeping of animals.	Final Map	Planning	
30. The Applicant shall dedicate Sheldon Road per Sections A, A1, B, and B1 as shown on the Tentative Map dated September 15, 2009. Dedications shall	Final Map	Public Works	

	<b>Conditions of Approval</b>	<b>Timing / Implementation</b>	<b>Enforcement / Monitoring</b>	<b>Verification (date and signature)</b>
	be in accordance with the Sheldon Road widening project, the City of Elk Grove's Rural Roads Standards, and to the satisfaction of Public Works			
31.	The Applicant shall dedicate Waterman Road in accordance with the City of Elk Grove's Rural Road Standards and to the satisfaction of Public Works.	Final Map	Public Works	
32.	The Applicant shall dedicate for the ultimate expanded intersection of Waterman Road/Sheldon Road, in accordance with the City of Elk Grove's Rural Roads Standards and to the satisfaction of Public Works. Further, the Applicant shall dedicate an Irrevocable Offer of Dedication (I.O.D.) at the intersection of Waterman Road and Sheldon Road intersection for a future roundabout to the satisfaction of Public Works.	Final Map	Public Works	
33.	The Applicant shall make an in-lieu payment to the City of Elk Grove for the total cost to construct the project's frontage improvements along Sheldon Road. The total cost shall be based on a detailed cost estimate prepared by a licensed civil engineer and shall not include the construction of the bridge. The estimate shall be reviewed and accepted by the City prior to making the payment.	Final Map	Public Works	
34.	All streets shall be a minimum right-of-way dedication of 40 feet. If the street is identified on the Tentative Map with less than 40 feet of right-of-way, additional right-of-way shall be dedicated on the Final Map.	Final Map	Public Works	
34a.	The Applicant shall improve the road between lots 22 and 23 for sufficient access and frontage for lot 22 to the satisfaction of Public Works. The applicant shall also provide an Irrevocable Offer of Dedication (I.O.D.) for the balance of the road and provide in-lieu payment for construction. Timing of construction shall be determined by Public Works.	Final Map	Public Works	
35.	The Applicant shall provide an access easement over Parcel 5 for the benefit of Parcel 6 and provide a maintenance agreement for the access to the satisfaction of Public Works.	Final Map	Public Works	
36.	The Applicant shall dedicate exclusive access rights (direct vehicular ingress and egress) to the City of Elk Grove along Sheldon Road, except at street connections.	Final Map	Public Works	

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Verification (date and signature)
37. Improvement plans shall be approved by Public Works prior to recordation of the Final Map	Final Map	Public Works	
38. The Applicant shall pay all applicable Park and Recreation Plan Check Fees as required by the CSD.	Final Map	CSD Parks	
39. All real property within the boundaries of the proposed project is within a benefit zone of the District Wide Landscape & Lighting Assessment District. Prior to the recording of any Final Maps, the Applicant shall execute and deliver to the CSD a written petition in an acceptable form approved by the CSD consenting to: (1) the formation of the existing District Wide Assessment District and the methodology adopted to allocate the cost to various land uses; (2) when necessary the annexation to the appropriate zone of benefit created to fund services; (3) the budget, formulas, and cost of living indexes used to establish the amount of the annual assessments; and (4) the levying of the annual assessment to fund the maintenance, operation, and in some instances the existing capital costs of parks, parkways, corridors, medians, open space, trail systems, lakes, creeks, and other recreational and aesthetic amenities.	Final Map	CSD Parks	
40. Prior to Final Map, the project area shall annex into a Mello-Roos Community Facilities District (CFD) to fund a portion of the additional costs for police services related to serving the new development. The annexation process can take several months, so the Applicant should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax. For further information regarding this CFD, see <a href="http://www.elkgrovecity.org/finance/cfd-information.asp">http://www.elkgrovecity.org/finance/cfd-information.asp</a> .	Final Map	Finance	
41. Prior to Final Map, the project area shall annex into Street Maintenance Assessment District No. 1 to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. The annexation process can take several months, so the Applicant should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance Assessments. For further information on this District, see <a href="http://www.elkgrovecity.org/finance/cfd-">http://www.elkgrovecity.org/finance/cfd-</a>	Final Map	Finance	

	<b>Conditions of Approval</b>	<b>Timing / Implementation</b>	<b>Enforcement / Monitoring</b>	<b>Verification (date and signature)</b>
	information.asp.			
42.	Prior to Final Map, the project area shall annex into the Maintenance Mello-Roos Community Facilities District 2006-1 (CFD), to fund the project's fair share of landscape related maintenance costs associated with public parkways, public parks, open space, landscape setbacks, bike and other paths, landscaped medians in and adjacent to roadways, maintenance and operation of a community center, recreation center, sports (including aquatic) facilities, cultural arts center, and water features, and maintenance of other related facilities. The annexation process can take several months, so the Applicant should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax. For further information on this CFD, see <a href="http://www.elkarovecity.org/finance/cfd-information.asp">http://www.elkarovecity.org/finance/cfd-information.asp</a> .	Final Map	Finance	
43.	The Final Map shall label the powerline transmission easement corridors as "Restricted Building and Use Area."	Final Map	SMUD	
44.	The Applicant shall disclose to future/potential owners the existing or proposed 69kV and 230 kV electrical facilities. SMUD is proposing a future 69kV within its transmission line easement.	Final Map	SMUD	
45.	The Applicant shall record the following language on the Final Map:  <i>PG&amp;E's easement area is building and structure prohibited. Access to PG&amp;E's facilities must be maintained at all times. When working near PG&amp;E's electrical facilities, please maintain the minimum clearance for workers and equipment operating near the high voltage electrical lines set out in the high voltage safety orders of the California Division of Industrial Safety, as well as any other safety regulations. Please contact PG&amp;E's land department at 530.889.5089 for more information.</i>	Final Map	PG&E	
	<b>Prior to Grading or Improvement Plan Approval</b>			
46.	The Applicant shall design and improve all turn-arounds as shown on the tentative map dated September 15, 2009 in accordance with Fire Department Standards and to the satisfaction of Public Works.	Improvement Plan	Public Works CSD Fire	



	<b>Conditions of Approval</b>	<b>Timing / Implementation</b>	<b>Enforcement / Monitoring</b>	<b>Verification (date <u>and</u> signature)</b>
47.	All structural street sections shall be designed to City of Elk Grove Improvement Standards.	Improvement Plan	Public Works	
48.	All roads shall be paved, capable of supporting 65,000 gross vehicle weight and the proposed cul-de-sac on the west side shall be a minimum of 80 feet in diameter.	Improvement Plan	CSD Fire	
49.	The Applicant shall prepare and submit a comprehensive drainage study and plan that includes but is not limited to: definition with mapping of the existing watersheds; a detailed pre- and post-project hydrologic and hydraulic analysis of the project and project impacts; definition of the local controlling 100-year frequency water levels existing and with project; and the proposed method of flow conveyance with adequate supporting calculations. The study shall include any proposed improvements to mitigate the impacts of increased runoff from the project and any change in runoff including quality, quantity, volume, and duration. The project shall not cause a net loss of storage, nor an increase in velocity, of drainage water within the 100-year floodplain. The study shall incorporate the City of Elk Grove Drainage Capital Improvement Plan; be consistent with the ultimate upstream development in the General Plan, and any specific, area, or master plans; and shall conform to the City of Elk Grove Improvement Standards. It shall demonstrate that the proposed methods of flow conveyance mitigate the potential project impacts. The study shall further demonstrate that the project lies outside the 100-year frequency floodplain after improvements are constructed in accordance with the policies in the City Floodplain Management Plan. The study must be completed and stamped by a Professional Engineer and determined by the City to be comprehensive, accurate, and adequate.	1st Improvement Plan Submittal or Prior to Issuance of Grading Permit(s)	Public Works	
50.	The Applicant shall size all culverts to accommodate 10-year flows. Appropriate erosion control shall be installed to the satisfaction of Public Works.	Improvement Plan	Public Works	
51.	The graded portions of Lots 1 through 6 shall drain to the roadside ditch adjacent to the internal street and not directly into Laguna Creek.	Improvement Plan	Public Works	

	<b>Conditions of Approval</b>	<b>Timing / Implementation</b>	<b>Enforcement / Monitoring</b>	<b>Verification (date and signature)</b>
52.	Only one outfall on each side of Laguna Creek will be permitted to accommodate overland flows from this project. The outfalls shall be designed in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. If any portion of the outfall(s) is located below the normal high water mark, the Applicant shall obtain all appropriate permits to perform this work.	Improvement Plan	Public Works	
53.	The Applicant shall design and construct interim improvements on Sheldon Road to the satisfaction of Public Works. Improvements and appropriate road transitions (including turn pockets and deceleration lanes), including all necessary signing and striping, will be evaluated during Improvement Plan review.	Improvement Plan	Public Works	
54.	Access to roadways located east of the Waterman Road/Sheldon Road intersection will be evaluated during Improvement Plan review.	Improvement Plan	Public Works	
55.	The Applicant shall design Lot 11 such that driveway access is taken from the 20' drainage access easement adjacent to/within this lot. The access easement shall be improved with an all weather road with a minimum width of 16 feet and capable of supporting 65,000 gross vehicle weight.	Improvement Plan	Public Works CSD Fire	
56.	The Applicant shall prepare and submit a Post-Construction Stormwater Quality Control Plan in accordance with the most recent version of the Stormwater Quality Design Manual for the Sacramento Region. Post-construction source and treatment controls shall be designed in accordance with the City of Elk Grove Improvement Standards and the Stormwater Quality Design Manual. The design of post-construction source and treatment controls shall be submitted for approval with the improvement plans regardless of whether they constitute private or public improvements. A separate maintenance manual describing proper maintenance practices for the specific treatment controls to be constructed shall also be submitted and accepted by the City.	Improvement Plan and/or Grading Permit	Public Works	
57.	The Applicant shall install "No Parking" signs on all internal streets to the satisfaction of Public Works.	Improvement Plan	Public Works CSD Fire	
58.	The Applicant shall execute a maintenance agreement for stormwater	Improvement Plan	Public Works	

	<b>Conditions of Approval</b>	<b>Timing / Implementation</b>	<b>Enforcement / Monitoring</b>	<b>Verification (date and signature)</b>
	quality control treatment devices to the satisfaction of Public Works.			
59.	The Applicant shall submit, in addition to the complete set of record drawing improvement plans, a separate electronic file, in PDF format, of the record drawing/as-built plan sheets on the record drawing CD. Additionally, the Applicant shall complete and submit the City's drainage data spreadsheet, with complete data for all drainage structures installed, on the record drawing CD.	Prior to Acceptance of Public Improvements	Public Works	
60.	Identification signage issued by Public Works shall be mounted by the Applicant during streetlight installation in accordance with the approved plans. Alterations to streetlight plans shall be updated on record drawings. The Applicant shall submit, in addition to the complete set of improvement plans, a separate electronic file, in PDF format, of only the streetlight plan sheets and voltage calculations on the record drawing CD. Additionally, the Applicant shall complete and submit the City's streetlight data spreadsheet, with complete data for all streetlights installed, on the record drawing CD.	Prior to Acceptance of Public Improvements	Public Works	
61.	All roads shall be provided with an assigned street name by the City of Elk Grove and approved by the Fire Department	Improvement Plan	CSD Fire	
62.	The future road along lots 7 through 16 and 21 and 22 shall have a unique street name and shall be addressed off that future street. The Applicant shall contact Nick Gorman, GIS Coordinator at CSD Fire at 916.405.7108 for street naming alignment and assistance.	Improvement Plan	CSD Fire	
63.	The future road along 17 through 20 and 23 through 26 shall have a unique street name and shall be addressed off that future street. The Applicant shall contact Nick Gorman, GIS Coordinator at CSD Fire at 916.405.7108 for street naming alignment and assistance.	Improvement Plan	CSD Fire	
64.	Future road connection between lots 22 and 23 to the east needs to be constructed. The Applicant shall contact Nick Gorman, GIS Coordinator at CSD Fire at 916.405.7108 for street naming alignment and assistance.	Improvement Plan	CSD Fire	
65.	Bollards, gates, chains, fences, or other barriers preventing vehicular	Improvement Plan	CSD Fire	

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Verification (date and signature)
<p>access onto the paved fire access, trails, or maintenance roads shall be approved by the Fire Department prior to installation. Gated accesses shall be designed to a minimum width acceptable to the fire department for fire department access and equipped with Knox rapid entry device(s). The design of the barriers shall be bike friendly.</p>			
<p>66. Prior to Grading Permit and Improvement Plan approval, the Applicant shall obtain a joint-use agreement from SMUD consenting to the proposed development within SMUD's transmission line easement. The Applicant should contact SMUD's Property Administrator for application procedures.</p>	Grading Permit and Improvement Plan	SMUD	
<p>67. No grading, cuts, or fills is to be done within the PG&amp;E tower line easement without written approval from PG&amp;E.</p>	Grading Permit and Improvement Plan	PG&E	
<p>68. Should PG&amp;E's tower structures be put into a vulnerable position such as a driveway or trail installed adjacent to said facilities, then protection barriers such as bollards will need to be placed around the structure to protect it from vehicles.</p>	Improvement Plan	PG&E	
<p>69. Any fencing to be installed near the PG&amp;E tower line easement shall be a minimum 20 feet horizontally from the nearest tower structure to ensure access is maintained and sufficient working room around the structures.</p>	Improvement Plan	PG&E	
<p>70. The Applicant shall "Safe Prune" all existing trees to be saved as recommended by Applicant's arborist. The City Arborist shall review and approve, in the field, with the Applicant's arborist any pruning of the existing native oaks. Applicant's arborist shall provide a letter to the Planning Department that the pruning has been completed.</p>	Prior to Acceptance of Public Improvements	Planning	
<p>71. The Applicant shall include the Tree Preservation Construction Notes at the end of these conditions verbatim as Construction Notes on any/all Preliminary of Final Grading Plans, Improvement Plans, and Building/Development Plans which are submitted to the Department of Public Works and/or Planning Department for each project, as well as any/all revisions to Plans which are subsequently submitted.</p>	Improvement Plan	Planning	

**Prior to Building Permit Issuance**

<b>Conditions of Approval</b>		<b>Timing / Implementation</b>	<b>Enforcement / Monitoring</b>	<b>Verification (date and signature)</b>
72.	At all street intersections adjacent to the project, public or private, the Applicant shall install and/or replace street name signs in accordance with the City of Elk Grove Standard Details.	Building Permit	Public Works	
73.	The Applicant shall submit a Flood Elevation Certification for each structure. Alternative documentation of flood and lot elevations may be submitted if determined to be adequate by Public Works.	Building Permit	Public Works	
74.	The Applicant and/or property owner shall apply for an encroachment permit for all driveways connecting to the public right-of-way	Building Permit	Public Works	
74a.	Driveway culverts shall be designed and approved for each lot's building permit. The culverts design shall be to the satisfaction of Public Works.	Building Permit	Public Works	
75.	Civil engineering plans shall be submitted for review and approval by the Fire Department prior to construction. All addresses shall be assigned and provided to the Fire Department prior to plan approval. Upon approval, all civil engineering plans are required to be submitted on a CAD formatted compact disk.	Prior to Building Permit Issuance Prior to Fire Permit Issuance	CSD Fire	
76.	The Applicant shall pay all applicable City of Elk Grove administered development impact fees in effect at the time of building permit issuance. For further information on development related fees, see the Development Related Fee Booklet at <a href="http://www.elkgrovecity.org/finance/drf.asp">http://www.elkgrovecity.org/finance/drf.asp</a> .	Prior to Building Permit Issuance	Finance	
77.	Include the Tree Preservation Construction Notes at the end of these conditions verbatim as Construction Notes on any/all Preliminary of Final Grading Plans, Improvement Plans, and Building/Development Plans which are submitted to the Department of Public Works and/or Planning Department for each project, as well as any/all revisions to Plans which are subsequently submitted.	Building Permit	Planning	

### General Information and Compliance Items:

The following items are noted for the Applicant's information. These items are required by other local agencies, the City, state or federal agencies, and are not conditions of approval of the project.

- a. If there are any discrepancies between the approved tentative map and the conditions of approval, the conditions of approval shall supersede the approved tentative map. (Public Works)
- b. The Applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site. (Public Works)
- c. Any public improvements damaged during construction shall be replaced, by the Applicant, in-kind or with new improvement. (Public Works)
- d. Street (trench) cuts into existing streets require a separate encroachment permit and the payment of street cut fees, by the Applicant. Where multiple street cuts into the same street occur, a single, final surface (pavement) trench repair over all the trench cuts is required. Pavement grinding is required for the full length and width of the trenches. (Public Works)
- e. Streets shall be closed to the public until Department of Public Works, Division of Traffic Engineering and the project engineer determine the appropriate traffic control devices required and said devices are installed to the satisfaction of Public Works. Road closure devices shall be in place immediately and maintained in-place at all times upon completion of paving. Road closure may also require alternative accesses to both building and improvements construction traffic. The type of road closure devices shall be determined and approved by Public Works. (Public Works)
- f. Each lot shall have one driveway. Additional driveways may be approved by Public Works. Covenants, Conditions and Restrictions shall be recorded over all parcels within the tentative map. The Covenants, Conditions and Restrictions shall include the number of driveways each parcel is allowed. (Public Works)
- g. If an access control gate is added at any time in the future, the City of Elk Grove Public Works Department shall approve the geometrics of the entry design. (Public Works)
- h. Improvement related conditions can be satisfied by completing an approved design, executing an improvement agreement and providing suitable financial security (e.g. bonds, letter of credit, etc), all to the satisfaction of the City, prior to the implementation timing required by the condition. (Public Works)
- i. The Applicant may be eligible for reimbursement for the design and construction of infrastructure included in fee programs and/or financing districts as set forth in the respective programs and/or districts. In order to ensure eligibility for reimbursement, the Applicant must follow the policies and procedures in the latest version of "REIMBURSEMENT POLICIES AND PROCEDURES FOR PRIVATELY CONSTRUCTED PUBLIC FACILITIES", which is available from the Public Works Department. (Public Works)
- j. If the Applicant is to record multiple final maps, each phase shall be reviewed by Public Works to determine the improvements required for that phase. (Public Works)
- k. The Applicant shall design and construct all driveways in accordance with Section 4-10 of the City Improvement Standards to the satisfaction of Public Works. (Public Works)
- l. All driveways and intersections shall conform to the visibility easement requirement in the City of Elk Grove Improvement Standards. (Public Works)
- m. The Applicant shall submit and obtain City approval of plans and specifications for the construction of public improvements and all grading. The drainage system shall be designed in accordance with the accepted Drainage Study to accommodate runoff from the ultimate development and shall meet the City of Elk Grove Improvement Standards, construction standards, storm water design standards, and City of Elk Grove Flood Plain Management Plan and Ordinance in effect at the time of Improvement Plan approval. Street gutter flowlines shall be designed to be above the 10-year frequency flood elevation pursuant to the Floodplain Management Plan. (Public Works)
- n. The Applicant shall complete grading and construct all on-site and off-site drainage improvements in accordance with the approved Improvement Plans. Fulfill all requirements of federal and state permits. (Public Works)



- o. The Applicant shall comply with the regulations of the Federal Emergency Management Agency (FEMA) and the City of Elk Grove Flood Plain Management Ordinance. The lowest finished floor elevation for a habitable building will be a minimum of 1 (one) – foot above the 100-year frequency water level, certified by a registered Civil Engineer or licensed Land Surveyor, and submitted to the City. Amendments and/or revisions of FEMA flood insurance rate maps will be required for all development located in the federal or local flood zone. All FEMA map revisions (both CLOMR and LOMR) must be approved by the City and fully processed through FEMA. Completed revisions shall be placed on file with the City. (Public Works)
- p. The Applicant shall prepare a Storm Water Pollution and Prevention Plan (SWPPP) to be executed through all phases of grading and project construction. The SWPPP shall incorporate Best Management Practices (BMPs) to ensure that potential water quality impacts during construction phases are minimized. These measures shall be consistent with the City's Improvement Standards and the Land Grading and Erosion Control Ordinance. The SWPPP shall be submitted to the Central Valley Regional Water Quality Control Board for approval and to the City for review. During construction, the applicant shall implement actions and procedures established to reduce the pollutant loadings in storm drain systems. The project applicant shall implement Best Management Practices (BMPs) in accordance with the SWPPP and the City of Elk Grove Improvement Standards. (Public Works)
- q. In order to mitigate erosion and sediment control problems on the project site, the project shall comply with the City's Land Grading and Erosion Control Ordinance. If the project size is more than one acre, a Notice of Intent (NOI) shall be filed to obtain coverage under the California State Water Resources General Construction Activity Storm Water Permit. Permits are issued by the State Water Resources Control Board, which can provide all applicable information to complete and file the necessary documents. Applicant shall comply with the terms of the general construction permit, the City of Elk Grove Municipal Code, and the NPDES Waste Discharge Requirements for the City of Elk Grove Municipal Storm Sewer Discharges. (Public Works)
- r. The Applicant shall obtain applicable California Department of Fish and Game, U.S. Army Corps of Engineers and other required state and federal permits. The conditions of such permits must be reviewed and considered acceptable by the City. The City will not accept any conservation or other conditional easements on the drainage courses to be conveyed to the City. (Public Works)
- s. Each condition of approval shall be satisfied prior to the issuance, approval, and/or the acceptance of the item(s) listed in the Timing/Implementation column. (Public Works)
- t. Dead-end streets in excess of 150 feet require emergency vehicle turn-around.
- u. Any and all gates impeding fire lanes or roadways shall comply with Appendix D of the 2007 California Fire Code of the City of Elk Grove Fire Code Ordinance 10-2008.
- v. If homes exceeding 3,600 square feet (including garages and covered porches) will be built in this subdivision, additional fire flow analysis of the water system must be conducted. Single-family dwellings 3,601 square feet to 4,800 square feet require 1,750 gpm. Homes 4,801 square feet to 6,200 square feet require 2,000 gpm.
- w. An approved automatic fire sprinkler system shall be installed within all new R-3 occupancies when the total floor area (area under roof including garages and attached solid roof canopies) exceeds 5,999 square feet and/or the total livable area (area not including garages and attached solid roof canopies) exceeds 4,999 square feet.
- x. As of February 1, 2003, all contractors for single-family homes and duplexes (R-3 Occupancies) shall provide an option for residential fire sprinklers. Prior to the prospective buyer signing a sales contract, the contractor or their agent shall obtain from the Fire Department an informational packet containing education materials approved by the fire department, including a form explaining the option for residential sprinklers. The contractor or their agent shall provide the approved informational packet to any and all prospective buyers and require the execution of signed receipt for the educational material from the prospective buyer. The contractor shall install residential fire sprinklers upon the request and execution of a purchase agreement by the homebuyer. Fire sprinkler systems for single-family homes and duplexes shall be designed and installed to not less than the minimum requirements contained in NFPA 13D, 1996 edition.

- y. All civil engineering plans are required to be submitted in an electronic format. When plans are ready for final signature, it is required that the engineering firm submit an electronic copy of the complete plan as it appears in the approved printed plans with addresses. All electronic formats will be submitted on Windows/DOS formatted diskettes, zip disks or on compact disk (CD). E-mailed copies will not be accepted at this time. Electronic formats can be submitted in either of the following data transfer formats listed below:
  - a. DXF (Drawing Interchange file) any DXF version is accepted
  - b. DWG (Applies to AUOCAD drawing file) any AutoCAD DWG version is accepted
- z. Addresses for all lots shall be provided to the Fire Department within sixty (60) days of Fire Department signature of approval for development plans.
- aa. No more than 40 building permits shall be issued when a single point of access exists for a subdivision. Since there is no process in place for confirming the sequence in which multiple units are built, the above information should be considered and the Cosumnes CSD Fire Department should be consulted on this matter.
- bb. This development is required to provide fire flow from a public water system capable of delivering at a minimum 50 PSI static pressure and 3,000 GPM at 20 PSI residual pressure in commercial areas and 50 PSI static pressure and 1,000 GPM at 20 PSI residual pressure in residential, single-family home areas. Buildings of certain types of construction, size, and use may need additional fire flow or the application of mitigating efforts to meet fire flows above this minimum.
- cc. All required roadways, street signs, addresses, water mains, fire hydrants, and fire flows shall be provided prior to the existence of any combustible construction or storage. The slope of access roadways shall not exceed 10% for asphalt and 5% for concrete. The roadways shall be constructed to a 20-foot minimum width of three (3) inches AC over six (6) inches AB with good drainage.
- dd. CCSDFD approved traffic pre-emption devices of a type approved by the Cosumnes CSD Fire Department shall be installed on all traffic signal devices erected or modified by this development. These devices shall be installed and functioning prior to any occupancy and at no cost to the Cosumnes CSD Fire Department.
- ee. The installation of on-site or off-site fire protection equipment including fire hydrants and water mains shall meet the standards of the Cosumnes CSD Fire Department and the water purveyor having jurisdiction.
- ff. The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls tree wells and/or all other traffic calming devices is subject to standards outlined by the Cosumnes CSD Fire Department. All proposed traffic-mitigation plans shall be submitted to the Cosumnes CSD Fire Department for review and approval prior to installation.
- gg. The wetlands/riparian corridors of creeks create an unusual fire hazard and challenge to emergency responders. The following requirements apply:
- hh. Provide non-combustible fences along all developed areas adjacent to wetlands, creeks or open spaces.
  - ii. Provide access to all wetland corridors at the end of cul-de-sacs via rolled curbs and gates with pipe bollards. Bike lanes adjacent to creeks shall be a minimum of 10 feet wide with a turning radius of not less than 35 feet inside and 45 feet outside diameters.
- jj. Any bridges over creeks or wetland areas shall be capable of supporting 65,000 GVW.
- kk. Provide a least ten (10) feet of greenbelt or other defensible space between non-combustible fences and the creek/wetlands area.

Tree Preservation Construction Notes:

1. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of all oak trees to be retained and all portions off-site oak tree driplines which extend into the site, and shall not be cut back in order to change the dripline. Removing limbs which make up the driplines does not change the protected zones.
2. Chain link or City approved barrier shall be installed one (1) foot outside the dripline protection area of the on-site oak trees to be retained and all portions of off-site oak tree driplines which

extend onto the site, prior to initiating project construction, in order to avoid damage to the trees and their root systems. The barrier around those oak tree driplines which are approved for encroached into by structures and/or driveways can be moved to allow construction. The new barrier locations shall be four feet outside the structure wall and/or driveway location.

3. All driveways which pass through the dripline protection area of the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend on the site shall be constructed such that the entire driveway section is placed directly above existing grade. No excavation for driveway construction shall be allowed with oak tree dripline protection areas.

4. Any pruning of an oak tree shall be supervised by a certified arborist. Branch and limb pruning shall be limited to that which has been deemed necessary by a certified arborist in order to correct a safety hazard, structural defect, crown cleaning or arborist recommended pruning in the tree. Pruning due to canopy encroachment by buildings shall be limited to the minimum amount needed to safely accommodate the structure. All pruning and deadwood removal shall be executed in accordance with American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines". An ISA Certified Arborist shall supervise and tree pruning.

5. All oak trees on site shall be pruned, as per arborist recommendations, prior to starting any site improvements. Any pruning of an oak tree shall be supervised by a certified arborist.

6. No signs, ropes, cables (other than those which may be recommended by a certified arborist to provide limb support) or any other item shall be attached to the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend onto the site.

7. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or, located within the dripline area of the on-site oak trees to be retained and all portions of the off-site oak tree driplines which extend onto the site.

8. No grading (grade cut or fills) shall be allowed within the dripline protection area of the on-site oak trees to be retained and all portions of off-site oak trees which extend onto the site with the exception of approved encroachment areas on the Final Development Plans. If, in the opinion of the certified arborist, permitted grading in the dripline protection area is severe, then the affected tree shall be retained on-site but determined lost, and mitigation as required by the approving body shall be imposed.

9. No trenching shall be allowed within the dripline protection area of the on-site oak trees to be retained and all portions of the off-site oak tree driplines which extend onto site. If it is absolutely necessary to install underground utilities within the dripline of the tree, the utility line shall be bored or drilled under the direct supervision of a certified arborist.

10. Landscaping beneath the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend on the site include non-plant materials such as river gravel, woodchips, etc. The only plant species which shall be planted within the driplines of oak trees are those which are tolerant of the natural semiarid environs of the trees. Limited drip irrigation approximately monthly during late spring, summer and early fall is recommended for understory plants.

11. No in the ground sprinkler or irrigation system shall be installed in such a manner that irrigates the ground within the dripline protection area of the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend onto the site. An "above ground drip irrigation system", drip lines placed on natural grade and all emitters shall be placed on grade, will be permitted under oak tree driplines. No trenching for irrigation lines will be permitted under dripline protection areas.

12. Prior to installation of new asphalt, weed control chemicals shall not be applied where they can leach into dripline of any protected tree(s).

13. During construction, the frequency and amount of water for protected trees shall not differ from that received prior construction.

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2010-13**

STATE OF CALIFORNIA        )  
COUNTY OF SACRAMENTO    )     ss  
CITY OF ELK GROVE         )

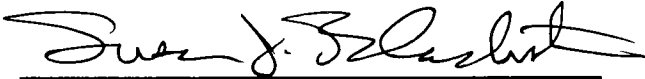
*I, Susan J. Blackston, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 13, 2010 by the following vote:*

**AYES :**        **COUNCILMEMBERS:**     *Scherman, Detrick, Cooper, Davis, Hume*

**NOES:**       **COUNCILMEMBERS:**     *None*

**ABSTAIN :**   **COUNCILMEMBERS:**     *None*

**ABSENT:**    **COUNCILMEMBERS:**     *None*

  
\_\_\_\_\_  
**Susan J. Blackston, City Clerk**  
**City of Elk Grove, California**